

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BREEANNE BUCKLEY PENI, individually
and on behalf of others similarly situated,

Plaintiff,

vs.

DAILY HARVEST, INC.,

Defendant.

Case No.: 1:22-cv-05443

**NOTICE OF MOTION
TO COMPEL ARBITRATION AND
STAY PROCEEDINGS**

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Ricky Silver, dated July 27, 2022, and the exhibit attached thereto, and the Memorandum of Law in Support of Defendant Daily Harvest, Inc.’s Motion to Compel Arbitration and Stay Proceedings, and upon all prior papers and proceedings had herein, Defendant Daily Harvest, Inc. (“Daily Harvest”) will move this Court, before the Honorable Vernon S. Broderick, at the United States District Court, Southern District of New York, Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, at such time as the Court hereafter determines, for an order compelling the arbitration of Plaintiff Breeanne Buckley Peni’s claims against Daily Harvest and staying this matter pending completion of the arbitration.

July 27, 2022
New York, New York

Respectfully Submitted,

FAEGRE DRINKER BIDDLE & REATH LLP

By: /s/ Jeffrey S. Jacobson

Jeffrey S. Jacobson
Justin M. Ginter
1177 Avenue of the Americas, 41st Floor
New York, New York 10036
(212) 248-3140
jeffrey.jacobson@faegredrinker.com
justin.ginter@faegredrinker.com

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Sarah L. Brew, *admitted pro hac vice*
2200 Wells Fargo Center
90 South Seventh Street
(612) 766-7000
sarah.brew@faegredrinker.com

Attorneys for Daily Harvest, Inc.